

MAINE STATE LEGISLATURE

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1

L.D. 407

2

(Filing No. H-107)

3

STATE OF MAINE

4

HOUSE OF REPRESENTATIVES

5

11TH LEGISLATURE

6

FIRST REGULAR SESSION

7

COMMITTEE AMENDMENT " A " to H.P. 348,
8 L.D. 407, Bill, "AN ACT Creating the Passamaquoddy
9 Water District."

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Amend the bill in section 9 by striking out all
of the 2nd sentence and inserting in its place the
following:

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'Additionally, one trustee shall be elected from the
City of Eastport and one trustee shall be elected
from the Town of Perry, following the procedures for
municipal elections; except that, in the event no one
volunteers to run for the office of trustee in either
of these municipalities, the municipal officers shall
appoint a trustee to serve for a normal term.'

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Further amend the bill in section 11 in the 7th
paragraph (page 11, line 8 in L.D.) by inserting
after the words and punctuation "of contracts." a new
sentence as follows:

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'Such rates, fees and charges shall be subject to the
approval of the Public Utilities Commission.'

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Further amend the bill in section 16 by striking
out all of subsection 1 and inserting in its place
the following:

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'1. To pay the current expenses for operating
and maintaining the water system and to provide for
normal renewals and replacements;'

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Further amend the bill in section 16, subsection
3, (page 15, line 6 in L.D.) by striking out the fig-
ures and words "1% nor more than 5%" and inserting in
their place the figures and words '2% nor more than
10%'

38

Further amend the bill in section 16 by inserting

COMMITTEE AMENDMENT "A" to H.P. 348, L.D. 407

1 a new subsection 4 to read:

2 '4. To provide, in accordance with Title 35,
3 section 3311, up to a 5% addition to yearly revenues
4 over what is required to operate the district to pro-
5 vide for a contingency reserve fund. '

6 Further amend the bill in section 16 by renumber-
7 ing the subsections to read consecutively.

8 Further amend the bill in section 20, 4th para-
9 graph, (page 16, line 32 of L.D.) by striking out the
10 word "Governor" and inserting in its place the word
11 'Tribal Governor'

12 Further amend the bill in section 20, 4th para-
13 graph, (page 16, line 33 of L.D.) by striking out the
14 word "gubernatorial" and inserting in its place the
15 words 'tribal gubernatorial'

16 STATEMENT OF FACT

17 This amendment makes technical changes to con-
18 form the bill to the water utility statutes of Title
19 35.

20 It is noted that section 3 of the original bill
21 confers on the district the same rights of eminent
22 domain that the Eastport Water Company has in Perry
23 and Eastport. Neither the company nor the district
24 has the right of eminent domain on the Passamaquoddy
25 Reservation. It is also noted that although section
26 11 of the original bill authorizes issuance of
27 "temporary notes" for a period not to exceed 5 years,
28 this does not constitute an exemption from the re-
29 quirement of Title 35, section 171 for the Public
30 Utilities Commission's approval of any notes with a
31 term exceeding 5 years.

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